

"Stablemates" - "Rich Man, Poor Girl" Dual, Held-Over, Loew's Toronto

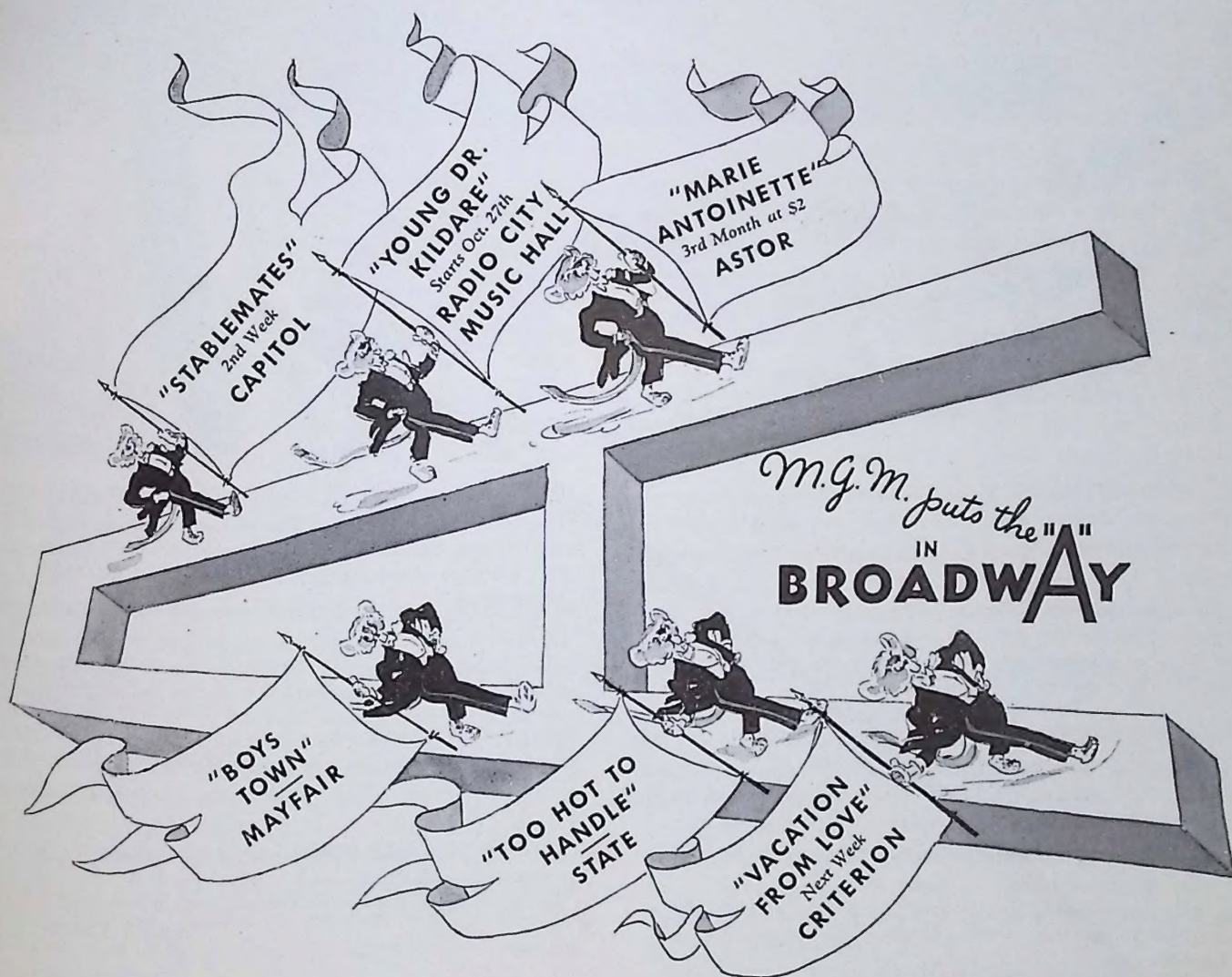
CANADIAN MOVING PICTURE DIGEST

RAY LEWIS
Editor and Publisher

Vol. 30, No. 30

TORONTO 2, CANADA

November 12th, 1938



PUBLISHED BY

CANADIAN MOVING PICTURE DIGEST COMPANY LIMITED

259 SPADINA AVENUE, TORONTO 2

Metro-Goldwyn-Mayer presents
at Radio City Music Hall
"YOUNG DR. KILDARE"
LEW AYRES • LIONEL BARRYMORE • Lynne Carver
Nat Pendleton • Jo Ann Sayers • Samuel S. Hinds • Screen Play
by Harry Ruskin, Willis Goldbeck • Directed by Harold S. Bucquet

N.Y. Critics
high-sign
visit to the Music Hall!



"YOUNG DR. KILDARE", the first Metro-Goldwyn-Mayer production to bow into New York via Radio City Music Hall screen, is a product worthy of both its studio and the theatre."

Kate Cameron—N.Y. DAILY NEWS

"The Radio City Music Hall, ordinarily dedicated to the presentation of the most stupendously elaborate, this week presents a refreshingly modest and winning story. In its simple humanity the film packs its strongest appeal. 'YOUNG DR. KILDARE' captures your interest and holds it."

Bland Johaneson—N.Y. DAILY MIRROR

"So admirably turned out, so expertly are the story, direction and acting woven together, that 'YOUNG DR. KILDARE' rises far and becomes the first M-G-M picture ever to have been booked into the Radio City Music Hall."

Leo Mishkin—N.Y. MORNING TELEGRAPH

"Credit it, too, with cementing the comeback of Lew Ayres. 'YOUNG DR. KILDARE' has refreshing simplicity of story, honesty of characterization and naturalness of presentation."

Frank S. Nugent—N.Y. TIMES

"Leo, the Metro-Goldwyn-Mayer lion, growled for the first time from the screen of the Radio City Music Hall yesterday and a healthy growl it was. Leo may well count his debut a success."

Herbert Cohn—BROOKLYN EAGLE

"Encouraged by the success of its 'Judge Hardy' pictures, M-G-M is launching another film series. The first opened yesterday at the Radio City Music Hall and, judging by the initial entry, the series should become a popular one. Like the films in the Hardy list, 'YOUNG DR. KILDARE' is warmly, likeably human."

Rose Peliswick—N.Y. JOURNAL AND AMERICAN

"The Music Hall film, first M-G-M production to run at the great theatre, tells of people whom you would like to know and whom maybe you do know, of the real life of America. There is word from Hollywood that this may be the first of a series like the Hardy family. That is good word. The movies could stand a good many more people like Dr. Kildare and his friends."

Eileen Creelman—N.Y. SUN

"'YOUNG DR. KILDARE' at the Music Hall is as entertaining and pleasant a film as you will see in a month of looking. In fact, if the same people make the next one, this department will positively look forward to it."

Archer Winsten—N.Y. EVE. POST

Metro-Goldwyn-Mayer Pictures are
your grade-A entertainments!

Canadian Moving Picture DIGEST

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1915

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JAMES LEWIS SMITH
Associate Editor

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RAY LEWIS
Editor and Publisher

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"Easy to Digest"

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THE "GIMME" GENDER



KNOWING what film conditions are in Canada, we ask the exhibitors to take a definite stand against the 16mm. feature picture distribution, with no compromise for legislation, but a demand for the elimination of the distribution of 16mm. feature pictures by Exchanges.

Ask the producer-distributors not to place the onus of this battle for democracy on their representatives in Canada, who might find that they, when the conflict is over, are left "holding the bag", but to fight the Canadian situation.

Surely, the major producer-distributors would not have us Canadians, believe that the combined power of their respective major companies, can be bulldozed into a state of "drifting" on an important issue, because one company, or man, is credited with being too smart for their combined wits, and too powerful for their combined power?

A great many in our Industry were, and some still are, under the impression, that all their ills in Canada are the result of the passivity of the producer-distributors.

In order to free themselves, these exhibitors will formulate a defence, they may even precipitate an Investigation. Who will be responsible for such an Investigation if it should happen?

When Nations, unprepared, are attacked, they give up what they have to, to establish peace.

The "gimme" complex is not solely of the feminine gender, it has a masculine and a national gender!

Getting what you are after, through the technique of propaganda, and by stirring up revolt, and conflict, is an old game, which has been brought to a stage of perfection by Nazism.

Watch it working out in Canada, producer-distributors, with the Exhibitors as the Power, the latter inspired by their own just cause to revolt, but, perhaps used to accomplish "a base end", for another Power.

Let the exhibitors, who are citizens in their various communities, who are property-owners,

fathers of families, who are capable of directing the habits and education of their children, capable of using their votes intelligently, become aware of their position; and **REMAIN FREE TO DELIVER THEMSELVES FROM THEIR OWN SLAVERY**, but in effecting such a release, to keep their power of deliverance from being used to obtain for Tyranny an added Power with which the latter will destroy them, when it has served the Master Mind.

Canada is a unique country. Those who know the trend of events, who are aware of the richness of this Dominion's natural resources, and its potential development, would vote this Dominion's trade worth protecting.

The United States is opposed to Japan's closed-door trade policy through the domination of China. Come a little nearer home, U.S. traders; what about the Closed Door to Film Trade in Canada? You will not be called on to go to war to keep the trade door open here, but you might be called on to defend what you have, if you let any one company, or person, shut the door on you. Since our Government has opened the door of Canadian Film Trade to you, is it not common sense, simple bookkeeping, to keep that door open?

Know anything about South Africa, and how that territory was a "Closed Door", save on the terms of the Company which was Doorkeeper? Canada is a little nearer to watch, but you are all asleep on the job.

What would happen if the controlling power of the theatre situation here was independent of your product, through the buying up of Canadian franchises of product, through production affiliation, etc.?

Keep your hand steady on English-speaking territories, which are still Democracies, for these may be the only territories with which you can trade.



DOUBLED STAR STRENGTH!

DOUBLED DOUBLED

DOUBLED PLAYING-TIME

Errol F

Be

Everything the Papers Said!

"A beautifully told love story. A splendid script. Fine and knowing direction. Unusual performances contributed by the entire cast. A film brilliantly done. In short, here's a swell picture."

—N.Y. World-Telegram



What A Story It Is!

What A Picture It Made!

WARNER BROS.
Producers

DRAW!

EVERYWHERE!



ynn

and

e Davis

in

e Sisters

with

A LOUISE • IAN HUNTER • DONALD CRISP • BEULAH BONDI • JANE BRYAN
ALAN HALE • DICK FORAN • HENRY TRAVERS • PATRIC KNOWLES

An ANATOLE LITVAK PRODUCTION

Music by Max Steiner

RAY



RAY LEWIS

PRESENTS

THE DIGEST editorially advised you to protect your business against the unfair competition of the 16mm., presenting feature pictures at a town hall, church, or store.

This 16mm. presentation of feature pictures will force the Independent Exhibitor to close his theatre; this is not a supposition, but a fact.

It is my opinion, after twenty-five years in the motion picture business, that the Independent Exhibitor has never had such a Destroying element to face us as the 16mm. feature picture, released by exchanges from whom these Independent Exhibitors have for years purchased, and are still purchasing pictures.

No language is too strong with which to condemn this unethical, unbusinesslike and unfair competition, which is like the head of the Octopus, in its final swift death-dealing action. Now that the tentacles are already sucking at your life's earnings, the head approaches to finish you off.

There is only one release from the tentacles of an Octopus, and that is to knife it in its one soft spot, between its eyes, as its head darts toward you.

THE 16mm. feature picture, seeking a patronage in town halls, churches, stores, etc., cannot do anything else but drag the price of pictures down, and exterminate the small town exhibitor. With the extermination of the small town exhibitor in Canada, the producer-distributors will give the film power in Canada, to one major producing-distributing and exhibiting company, namely Paramount, which controls Famous Players Canadian Corporation.

Have producer-distributors enjoyed the control of this company in Canada? Has Famous Players Canadian, and its officers been famous for what is known as "gentlemen's agreements"?

Who is responsible for the Sovereign and Sterling Films, interested in the business of the 16mm. film?

It is evident, that the producer-distributors need have no fear of the 16mm. cutting in on their profits, if they enter into a gentlemen's agreement with each other, not to produce their feature pictures as 16mm.

Educational Interests, desirous of distributing 16mm. films to churches, town halls and schools, should not alarm the producer-distributors, the latter's field is Show Business and the presentation of Entertainment. The 16mm. field is educational, and its field of exhibition is not Show Business.

ANY person, or company, which uses the bogey of an "outside film invasion", as an excuse to get producer-distributors to furnish 16mm. of their feature pictures, is just outsmarting the producer-distributors into giving up their one way out

from territorial control; and that way out is through the Open Door of the Independent market here.

When the Open Door of the Independents is closed to producer-distributors in any country, you have a repetition of the Battle of the Film Giants, in which the Giants slew each other in their quest for Control!

Canada, like the U.S., is a Dominion made up of separate provinces, linked together through Confederation. No one man, or company should control the Film Business in Canada, regardless of a perfected Hitler technique which spreads its propaganda of purchasing-power and prestige as a persuasion to invasion.

The alleged Film Control in Canada has armament for offense on a par with the armament which the Right Honorable Hore-Belisha, Minister of Defense recently disclosed in respect to Great Britain; and which revealed the British reason, perhaps, for the Munich Pirate Pact.

SIX key theatres across Canada would flatten the Film Offensive here. Would Canadians cheer? That is the most important factor in the whole business, that Canadians would cheer!

Others in the Film Business, in the United States, in Great Britain, directly active in Motion Pictures, and those in Canada who were formerly shareholders of Famous Players Canadian, and who are now Canadian disgruntled patrons, would do a great deal of cheering for a new Canadian chain of theatres!

Good will is the only Security which a business may depend on, especially in a world of changing conditions. One of the most important major companies in our Industry senses this, when it advertises "The Friendly Company".

There is such an antipathy toward Tyranny, and such an awareness of the sense of Democracy, that any indication of Tyranny in a Democratic country, the latter intent on fighting to defend its Democracy, can have but one result, the elimination of Tyranny.

MONOPOLY belongs to the horse and buggy days of Trade and Commerce, To-day, we wing our Trade and Commerce, for our limit is indeed the sky!

We talk to our customers, not only in our own country, but to the traders and buyers of the world! To-day we use "the voice of action"; and wherever there is Democracy, and Free Trading, that voice can be heard!

The Digest is a believer in peace; it believes that our Industry has a sufficient number of able men to formulate its trade policies; and it is our conviction that this Industry possesses, not only men of exceptional business ability, but gentlemen who know the meaning of a gentlemen's agreement, being firstly, gentlemen themselves!

In Canada, we have a film situation of which every producer-distributor is aware, whether he

Ray Presents

resides in Canada, or in the United States, or in Great Britain.

What Film Power was able to do in its Past, it cannot do in this Present, it must compromise, giving up some of its control to spread its profits for the spread of peace, and the security of its capital structure.

If there are any who are foolish enough not to be persuaded to a compromise, and who still believe that centralized control is sound business, we ask them to consider the Federal Suit against the Film Industry in the United States!

THIS Federal Suit is not the result of anyone's inefficiency to function as a liaison contact, but it is the Sign of the Times, which has created regulations and legislations of the people, for the people.

Why should our Industry of all Industries, remain untouched through the Purging Influence of To-day?

There is a revolution being waged in those countries in which there are wars; and in these countries which imagine they are at peace! The climax will be reached, when Power, which is measured by the Big Stick of the Gold Standard, is obliged to decide whether it will be Fascist, having for its "noble ally", Naziism, and the devolutionizing germs of the Antichrist, or whether it will be Democratic, walking up the road of Social Legislation orderly and at peace with God, having made its peace with Man!

The Canadian Exhibitor has a right to earn his living and to protect his investment. He has the right to use any, and every power which is just and which is his legislated right to remain in business.

EXHIBITORS have come to The Digest and complained that they are being closed out of business! They state, that they play pictures nine months old, that it is impossible for them to get pictures, or playdates until Famous Players has taken what it wants, and the way it wants to take product.

All the exhibitors are not justified in their complaints. They would be in a stronger position, if they had "played the game", but this is no excuse for an unfair and tyrannical policy in trade dealings with them.

There is a situation here which needs revision. The downtown theatres in any city, which advertise the picture, and through which advertising the neighborhood theatres receive the benefits, and which charge an admission price higher than the neighborhood houses, are certainly justified in obtaining "protection" on the pictures which they play.

NO theatre in any Neighborhood Zone is entitled to any "protection"! After the first run, pictures should be released to all houses, and no one chain of theatres should tie up all the good pictures on a policy of "protection".

All the neighborhood houses, which charge the same admission price, which is less than the first run theatres, and which have the same seating capacity should be grouped, and receive the same consideration. These should be classified as second runs, irrespective of any first run affiliation.

In the third classification, I would suggest to place all theatres in any zone, which have a smaller seating capacity than the second runs, and

where the admission is uniform. These should have pictures released to them immediately following the second runs.

All classifications should be by voluntary agreement.

I suggest that pictures be released, after the first run, all over any city, or town, and at the same time for all zones according to the classification assigned. Classification should be based on licenses, and not on "selective grouping".

I consider that "protection", as it is in operation at the present time, is costing the producer-distributors millions of dollars by holding back pictures which lose the publicity value of initial advertising campaigns.

I contend, that pictures lose their drawing power after the first run, through the policy of "protection". With policies, geographical boundaries, and thousands of people being moved from their boundaries today, their citizenship and boundaries altered, in daily upheavals, story values may be lost overnight.

I CONTEND, that producer-distributors need to make and sustain customers, not to eliminate them; and that the most important customer is the exhibitor.

As a Big Power Industry, PRODUCER-DISTRIBUTORS NEED THE LITTLE EXHIBITOR TO REMAIN PROSPEROUS IN THE OPERATION OF HIS THEATRE, IF FOR NO OTHER REASON THAN TO PROTECT THE BIG POWER FROM UNFAVOURABLE LEGISLATION, TAXATION, AND THE CRITICISM OF THE COMMON PEOPLE, THE LATTER WHO ARE THE PATRONS OF THEIR PICTURES.

No more deliberate attempt to annihilate the little exhibitor has ever been attempted in Motion Pictures than the introduction of 16mm. feature pictures for presentation in town halls, churches, etc. No one can call this introduction evolution, or progress, for it is out of the classification of Radio and Television.

I have said, I am for peace, but not a peace fashioned after the Munich Pirate Pact. I am opposed to running to the Government with tales; I am opposed to Government control of our Industry, but strong as is my dislike of Government control, is my dislike of Greed, the latter which cannot be satisfied without grabbing everything which stands for profits, even if Orphans, Widows and Little Exhibitors, all directly and indirectly getting their living in the Motion Picture Industry, have their investments depreciated and wiped out.

This is not a picture based on fiction, this is a picture drawn from facts! If you desire specific cases across Canada, we can furnish them.



The Digest's Legal Column

For the Service of Paid Exhibitor Subscribers

Subscribe now — a year's subscription, including special issues, \$2.00 — 52 copies.

The Digest marches ahead! True to the traditions of close to twenty-five years of Film Service; and the presentation of film facts "Easy to Digest," we now pioneer a Legal Column for Exhibitors. All you have to do is to write the Editor, Legal Column, Canadian Moving Picture Digest, 259 Spadina Avenue, for legal advice on any problem whether it concerns your property, insurance, contracts, births, marriages, or deaths! Our legal correspondent will give you legal advice concerning your questions.

Again, The Digest, is First in Service!

And for good measure, pressed down and running over, here is an additional free offer to exhibitors, who send in their subscriptions to The Digest, from the date of this publication, to December the fourteenth, inclusive. Paid subscribers will have a greeting card with their name, published in the Special Christmas number of The Digest. Free For the Asking. Avail yourself of our Legal Column's Service. — Avail yourself of our reduced subscription rates. — \$2.00 a year. — \$5.00 for a three years' subscription. — Beginning January 1st, 1939, subscriptions to The Digest will be \$5.00 yearly.

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TORONTO, ONTARIO.

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Name of Exhibitor

Theatre

City or Town Province.....

Digest Reviews and Previews

Sally Eilers is a "come-on girl" in a Manhattan gambling joint. When she falls afoul of the law, as represented by Jonathan Hale, she flees the city with her friends Ann Miller and Paul Guilfoyle. After trying to get several legitimate jobs, all spoiled by Hale's intervention, she turns to evangelism, taking heavy s. etc. She meets up with Alma, a wealthy widow, who believes in real McCoy. Hale turns out to be a fake.

Arnold, a jewel thief, and they plan to steal Alma Kruger's \$100,000 emerald necklace. At one of her revival meetings, she actually makes a cripple walk, and the shock is so great that she is unable to go through with the robbery plans. It all straightens out in the end, with Sally reformed and going to marry Lee Bowman, her persistent suitor.

Ann Miller, clever RKO Radio starlet, does one tap routine, and sings one song, "It's the Doctor's Orders", by Lew Brown and Samuel Fain.

Many of you will note a great similarity between Sally Eilers the evangelist and Aimee Semple MacPherson, Los Angeles' famous spell-binder. The similarity at times is so marked, that it is hilarious.

The story and adaptation were written by Saul Elkins, with screenplay by Joe Pagano. Produced by B. P. Fineman. Directed by Leslie Goodwins.

Running time—67 minutes.

SHORT SUBJECTS

"THE WORLD IS OURS" MPAYBE

A WELL produced and directed short subject, in the production of which every major studio, plus Monogram, co-operated. Subject starts out in the home of an average American family, consisting of Samuel S. Hinds, Dorothy Peterson, Charley Grapewin, Anne Shirley and Johnny Walsh. Family are getting ready to go to the movies. Grampa (Charley Grapewin) tells the folks that the movies aren't what they used to be, that it's all "kissin' and huggin'", whereas they used to be real action pictures. Fade-in to shots from "The Great Train Robbery", and some other old "thrillers". Father (Samuel S. Hinds) proceeds to explain that thanks to the movies, the children have visited every part of the world, from the North Pole to Darkest Africa. That, thanks to the movies, the youngsters have been present at all the important

events in history, and have met the important men of science down through the ages. Shots are shown from various pictures, demonstrating Hinds' point. The family then travels to Hollywood, where they see through all the studios, and are present at actual production of such pictures as "Gunga Din" (RKO Radio), "The Great Waltz" (M-G-M), "Dawn Patrol" (Warners), "The Cowboy and the Lady" (Goldwyn-U.A.), "Little Princess" (20th Century-Fox), and many others. Family finally returns home.

Unanimously that
BEST ENTERTAINMENT.

This is an interesting subject that will find favor with most audiences.

Running time—18 minutes.

"BIRD DOGS" RKO RADIO

AN RKO Sportscope, dealing with the training and actual use of retrievers, pointers and spaniels, Dogdom's three sporting breeds. Outstanding feature is the action shots of Bozo's Bar Mate, world's only triple champion retriever. This dog displays an intelligence which is little short of human. Sepia-tone process enriches the excellent photography. A very interesting short, both for men and women.

Running time—10 minutes.

"IDENTIFIED" VITAPHONE

A FLOYD GIBBONS "True Adventures" subject, dealing with mistaken identity. A man robs a chain grocery store, shooting one of the attendants. Police arrest a young man, who denies all knowledge of the crime, but who is positively identified by several witnesses. Youth is convicted and enters the death house. At the 11th hour, the real culprit is captured. He proves to be the exact double of the innocent victim.

Subject handles the suspense well, and holds the interest up to the last minute. One of the better subjects of the series.

Running time—12 minutes.

PERSONAL MUSINGS

HERE'S a little news item that ties in with our Industry from two sides. First of all there's Lew Hayman, one of Canada's top ranking football coaches, coach of the Champion Argonauts, and up to the start of the current season, manager of the Madison Theatre, Toronto. Lew is only connected with the story indirectly. It's actually one of his star players,

Art West who is the leading man in this little drama of the gridiron. The leading lady is Miss Diane Perkin, "Miss Toronto" of 1938, who was the Queen of the M-G-M float in the recent Industry Street Parade here. About six weeks ago, Miss Perkin was appointed drum major of the Argonaut band. Her duties were to parade up and down the football field before the game and during half-time, attractively dressed in a smart uniform, and twirling a big baton. Now as you have probably guessed, Miss Perkin is one of the fairest of the fair sex, and when Mr. Art West took one look at Miss Perkin, decked out in gold-braids, etc., he was lost. Perhaps he also heard her singing to herself, "You've Got To Be A Football Hero To Get Along With The Beautiful Girls". At any rate, to make a long story short, last Friday, Art pretended to Coach Lew Hayman that there was something wrong with his football shoes. He ducked practice, and in company with a couple of friends, dashed by car to Cooksville, a few miles from Toronto, and Art West and Diane Perkin became Mr. and Mrs. And if that wouldn't make a perfect motion picture scenario, then I don't know scenarios. Lots of luck, Art and Diane, maybe we'll be seeing you in the movies, enacting your own true-life story.

Remember Louis Morris, English theatre magnate who paid a visit to Canada last Spring? Well, Lou had a true adventure last week that Floyd Gibbons ought to be happy to reproduce on the screen. It seems that Lou owns a theatre in Jersey, a little island just off the Southeast coast of England, in the English Channel. Lou had been been at the theatre, and had reserved space on the Jersey plane, to fly back to the mainland. As usual, he was late, arriving at the airport just as the giant four motored plane was warming up. Although he argued long and loud, officials at the drome refused to let him on the field, to embark on the plane. Two minutes after the liner had taken off, it crashed, killing all aboard. And just to make the story more fantastic, there were thirteen persons aboard the plane, Lou Morris was to have been the fourteenth. All the story lacks is to hear that a black cat started to cross Lou's path, then changed its mind. Touché!

"Say L."

"The Citadel" Takes Excellent \$45,000, Capitol, N.Y. Holding Over

Legally Yours

By M. S. MILLSTONE



M. S. Millstone

Maurice Shelly Millstone attended Orde Street Public School, Jarvis Collegiate Institute, McMaster University and Osgoode Hall Law School and was called to the Bar in 1929. While attending McMaster University, Mr. Millstone contributed many

articles, mostly critical, to the McMaster Monthly, the College magazine, on the writing of Bernard Shaw, Maxim Gorki, Marcel Proust, and other European authors. After graduating from Law School, Mr. Millstone wrote various articles on legal subjects, some of which were criticisms of legislative enactments, and others in praise of social legislation enacted by the Federal Parliament. At present, Mr. Millstone is conducting a series of legal questions and answers in various Canadian newspapers whose readers are very anxious to learn Canadian law.

T. B., Toronto, Ont.—(1) *What are the laws governing the buying and sell of commodities by co-operative companies?*

(2) *Is it legal, in Canada, for any group of interests to combine their buying power?*

(3) *Is it legal for a manufacturer to refuse to sell to certain individuals?*

ANSWER

(1) Co-operative corporations may be incorporated under the Ontario Companies Act. The object of such corporations is to enable the members thereof to practice economy. A corporation may be formed for the establishment and operation of grocery stores where the members make their purchases and share in the profits and losses. In the Province of Ontario there are statutory enactments which provide for the corporation of co-operative credit societies and also of various co-operative associations to assist agriculture. A co-operative corporation may buy and sell commodities in the same manner and subject to the same laws as an individual.

(2) The Combines Investigation Act, which is a federal statute, makes it an indictable offence to form a combine which is defined in the Act as a combination having relation to any commodity which may be the subject of trade or commerce of two or more persons by way of actual or tacit con-

tract, agreement or arrangement having or designed to have the effect of limiting facilities for transporting, producing, manufacturing, supplying, storing or dealing, or preventing, limiting or lessening manufacture or production, or fixing a common price or a resale price, or a common rental or a common cost of storage or transportation, or enhancing the price, rental or cost of article, rental storage or transportation, or preventing or lessening competition in, or substantially controlling within any particular area or district or generally, production, manufacture, purchase, barter, sale, storage, transportation, insurance or supply, or otherwise restraining or injuring trade or commerce, or a merger, trust or monopoly, which combination, merger, trust or monopoly has operated or is likely to operate to the detriment or against the interest of the public, whether consumers, producers, or others. There are also provisions in the Criminal Code of Canada dealing with combines and making them illegal under certain circumstances. A number of individuals may combine their buying power so long as such combination is not in violation of the Combines Investigation Act or the Criminal Code, or any other law.

(3) A manufacturer has a right to refuse to sell his product to any individual providing that he is not acting in concert with others so as to constitute a violation of the Combines Investigation Act, or Criminal Code or any other law.

K. L., Hamilton, Ont.—*Is there such a term as "interstate commerce" in Canada, and how is it applied?*

ANSWER

"Interstate commerce" is a term applicable to the United States and not to Canada. Matters coming within the meaning of "interstate commerce" are subject to the jurisdiction of the federal government of the United States. On the 4th of February, 1887, an act of Congress was passed known as Interstate Commerce Act, which established an interstate commerce commission. The object of the Act is to regulate commerce between the States when carried on wholly or partly by rail. It declared all common carriers engaged in such commerce liable to regulation as to charges, rates, rebates, preferences, pooling, etc. It has been amended from time to time and also provides for the rates to be charged for the interstate transportation of persons or property.

Stop ! Look ! Listen !

Canada, counting equal to one state in the U.S., ranks 10th in number of answers received in Movie Quiz Contest; New York and California running one-two . . . Adolph Zukor leaving Hollywood to take charge of Paramount's English activities; William LeBaron becomes studio head . . . 20th Century-Fox reports net operating profit for first 39 weeks of this year of \$4,622,091 compared to \$4,898,893 for same period last year; directors declare 50c dividend on common shares, and usual 37½c quarterly on the preferred . . . Anthony Eden to be chief guest at C.E.A. banquet, December 13th . . . Police continue raids on Bingo games in Toronto and district . . . United Artists signs two year deal with Loew theatres, to play entire distributors output over whole circuit . . . Canadian Press and Canadian Newspaper Publishers Association discuss deal with CBC, whereby the latter would undertake to control not only all straight news broadcasts but news comment as well; CP proposes CBC outlaw all sponsored newscasts over privately owned stations as well as on its own network; in return CP would furnish Government with news service for \$50,000 per year; kick is that CP furnishes deferred news service, and not up-to-the-minute flashes; opponents of the scheme claim that it would mean the end of Free Speech in Canada, and would be a step towards Fascism . . . New RKO Board of Directors to consist of 9 members, instead of previous 15 . . . Fifth Annual Report of the British Film Institute notes continued emphasis on historical spectacle films, also greater coverage of British life . . . Protests pour in against pro-Chamberlain attitude of Beverley Baxter in his radio broadcasts from England . . . Queen Mary to attend English premiere of "Suez", at New Gallery Cinema, November 25; permits her name to be used in advertising copy of opening . . . 7,000 theatres in U.S. out of 15,000 participating in MPGY Drive; in Canada, 440 theatres participate out of approximately 1,050.

●

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104 BOND STREET
TORONTO
336 MAYOR STREET
MONTREAL

"Room Service" Heads Montreal Grosses With \$7,500, Capitol Theatre

Propose British Empire Film Quota for Canadian Provinces

Victoria, B.C.—W. T. Straith, Victoria lawyer and member of the British Columbia Parliament, proposed in the legislature that the provinces of the Dominion pass laws providing for a British Empire Film Quota. Mr. Straith expressed the opinion that a proportion of films produced in the British Empire should be shown in

every theatre in the province. If passed, such a law would prove a God-send to Victoria's infant industry, as represented by Central Films Limited, the latter which was badly hit by the changes in the British Film Quota Act, which excluded Dominions-made films from inclusion in the Quota.

THEATRE PERMIT GRANTED

Brockville, Ont. — F. I. Ritchie and J. M. Dobbie, lessees of the New Theatre burned in November last, applied recently to Fire Chief John Hartley, building inspector, for a permit to reconstruct the building. The town council had twice previously rejected proposed plans for the building on the grounds that the seating capacity did not measure up to their desires and failed to conform to the seating capacity of the former building. The council learned that nothing could be done to prevent the inspector from issuing the permit this time, but the councillors have not altered their stand on the matter and insist on the property being restored to its former seating capacity. The permit was granted.

INTERRUPT RUN OF VICTORIA FILM

London, England—Herbert Wilcox, producer-director of "Sixty Glorious Years", which is having a record-smashing pre-release showing at the Odeon Theatre, Leicester Square, gave his permission to interrupt the run of "Sixty Glorious Years" for one night last week, in order to accommodate a special performance, which was attended by the Duchess of Kent, in aid of the Royal National Lifeboat Institution.

COLLEGIATE GETS SOUND PROJECTOR

Toronto, Ont. — Humber College's 1938 graduating class recently presented the school with a motion picture and sound projector, the first of its kind in Toronto. The Board of Education had previously refused to instal the machine. Principal John S. Wren, in accepting the gift, predicted that it would open the door to a new educational field.

PROPOSE CHANGE TO BUILDING BY-LAW

Edmonton, Alta. — Fire Marshall J. Booth and City Building Inspector John Martland proposed to the city council recently that the city's building by-law be changed so as to include a requirement that all future theatres in Edmonton have outside walls of brick construction, as a precaution against fire hazards. Decision of the council has been deferred.

WALTER HUSTON HERE

Toronto, Ont. — Walter Huston, currently starring to packed houses as Peter Stuyvesant in "Knickerbocker Holiday", returned to his home town Sunday to portray the character of "Othello", in the Shakespearean play of the same name, presented over the air by the Canadian Broadcasting Corporation. Nan Sutherland, in private life, Mrs. Walter Huston, played the role of Desdemona, opposite her husband. Mr. Huston prides himself on the fact that he is the only actor whose plays President Roosevelt has seen since becoming president.

WINS AMATEUR CONTEST

Montreal, Que. — Walter Aspell, aged twelve, was the final winner of the United Theatres Amateur Contest, conducted by Al Plunkett. Master Aspell, who is one of Miss Moira Sheehy's "Little Players of the Air", will leave shortly for Hollywood, where he will be tested for the screen by one of the major studios.

NATIONAL FILM SOCIETY SEEKS MEMBERS

Ottawa, Ont. — Attended by a large membership, the opening showing of the season by the National Film Society of Canada was held recently at the Museum Lecture Hall. The Society, entering its fourth year, closely follows the progress of cinematographic art the world over, and has brought to Ottawa, films of outstanding merit which otherwise would not have been shown in the Capital. Feature of the evening was Sascha Guitry's "Pearls of the Crown", a French production. Shorter films were a remarkable picture, "L'Hippocampe", a French production by Jean Painlevé, showing the life habits of the sea-horse, and "Invisible Clouds", a scientific German film, dealing with heat waves. Announcement was made that despite the sound financial condition of the Society, it was embarking on a campaign for increased membership.

QUELL THEATRE BLAZE

Montreal, Que. — A broken sprinkler system head and quick response of firemen saved the Monument Nationale Theatre, 1182 St. Lawrence Blvd., from severe damage, when fire broke out in the coal bin in the cellar recently. The outbreak, believed caused by spontaneous combustion, was in about 90 tons of coal. Firemen under District Chief Bourdon succeeded in quelling the fire in 20 minutes with one stream of water, but it is believed that it would have spread had not the sprinkler kept it under control until the firemen arrived.

"THEY MIGHT AS WELL FACE IT"

The Boxoffice editorial of the week of November 5th, is "They Might As Well Face It".

It is an excellent editorial, the very excellence of which makes the omission of the Canadian Film situation appear intentional.

In mentioning the German film market, Austria, Czechoslovakia, Rumania, Italy, France, Spain and England, it points out diminishing markets for American films in these respective countries through various causes, political and commercial.

Being the Canadian edition of this publication, one would have thought that the Editor would have mentioned Canada, and the dangers here, through Independent Exhibitors' Revolt to a Controlled Film Market!

Here are a few facts which make any writer discussing the future market for American film distribution, take these facts into consideration.

The statement of the Premier of Ontario in relationship to theatre tax, and in which statement the Premier is quoted as saying, "the big circuits have not played the game".

The situation as it applies to one producing-distributing company, which controls at least fifty percent of the film purchasing power in the Dominion; and which through its position has entered every possible field in the film industry covering production, distribution, exhibition, equipment, 16mm. film distribution of films; and is solidifying this position through the purchase of Canadian Franchises of major producing companies' product, leaving this company, through its President, in a position of Dictator to every major producing-distributing company which desires to distribute its pictures in Canada.

How could so clever a writer of "They May As Well Face It", have overlooked the Canadian Peril in mentioning foreign film markets for American pictures?

EDITOR.

ARAUS MIT LENI!

"The film of the Olympic Games is over here! You know—the precious picture which won the Mussolini Cup at the Venice Festival and resulted in Britain and America deciding it was just a racket and they would stand for no more of it. I needn't tell you that the film is a bit old, because it was made in Berlin some two years back. It's presented by Tobis, whose foreign manager, Herr Hubert, I understand, is in town. Frankly, I see no reason why we should encourage the gentleman to remain on this mission, and certainly don't see why anybody should be interested in the picture, seeing that it's blatant and undisguised German propaganda. They can ship the thing back as soon as they like."

"TATLER",

*Daily Film Renter,
London, England.*

OPEN NEW THEATRE

Cadillac, Que. — Messrs. John and Joseph Dyzak, owners of the Palace Theatre, Val d'Or, recently opened the new Palace Theatre here. The theatre building represents one of the biggest and most impressive jobs in N.W. Quebec, housing besides the theatre, the branch of the Bank of Montreal, bowling alleys and a billiard hall, as well as several other stores. Theatre presents two shows nightly, with matinees Saturday and Sunday.

FILMS FIGURE**IN THEFT CHARGE**

Toronto, Ont. — Morgan Kemerer and Thomas Davey of this city were arrested recently by Detectives George Elliott and William Koopman and charged with theft. Frank L. Raye of Hamilton charges the men with theft of \$750. Raye's story to the police was that the men secured the money for a supposed interest in a moving picture theatre, whereby motion pictures would be shown in different towns in which, Raye claims there are no theatres.

**EXHIBITORS CHOOSE
BEST PICTURES****"YOU'RE ONLY YOUNG ONCE"**

"For down-to-earth human interest, this 'Judge Hardy' series has them all beaten. I'd like to see one released every month. Everybody who saw the picture raved about it, and they didn't hesitate to tell me how much they enjoyed it. Keep up the good work, Metro."

*S. H. BLOOMFIELD,
Grant Theatre,
Toronto, Ont.*

"IN OLD CHICAGO"

"This brought in the best box-office returns and provided the most satisfactory entertainment for the month of October here. My patrons are still talking about the fire sequences. Pleased everybody."

*H. ROTENBERG,
Guild Theatre,
Toronto, Ont.*

"TEST PILOT"

"With stars like Clark Gable, Myrna Loy and Spencer Tracy, the picture couldn't help be anything short of colossal. It proved a very good draw here, and the public went for it in a big way. An 'A' picture in every way."

*G. B. GARBARINO,
Odeon Theatre,
Toronto, Ont.*

"NO SUCH ANIMAL"

"Best picture? There's no such animal as far as I'm concerned. Not with the kind of pictures I have to play."

*AL DANIELS,
Royal Theatre,
Toronto, Ont.*

"ALEXANDER'S RAGTIME BAND"

"No argument here. This was by far the best picture we played in October. It gave us the best week's business in about eighteen months. Apart from a box-office standpoint, the picture is the best musical I have ever seen, and I've seen lots of them."

*DAN KRENDEL,
Tivoli Theatre,
Toronto, Ont.*

BRITISH COMPANY FOLDS

London, England — Reports have reached The Digest that B.I.E.D. has been placed in the hands of the receivers. Film Credits, Ltd., the debenture holders, have appointed J. G. Saunders, of Baker, Todman and Co., and Mr. Mays-Smith, of Dangerfield, Brewis and Mays-Smith, as receivers. British Independent Exhibitors (Distribution) Co. was formed in February of last year, by a group of independent exhibitors, who despairing of getting pictures, decided to produce their own. At the time of its origin, Ward Shaftesbury, The Digest's London correspondent, wrote as follows: "It is too early to make prophesies but personally I think that the scheme is doomed to an early death. It is very, very doubtful that a company of this nature, however ably directed, can ever hope to furnish amusement fare of sufficient merit to compete with the product of the major renting companies".

LEADING THE WAY

WHO LED THE WAY for securing legislation in relationship to Music Tax?

WHO LED THE WAY for the elimination of the tax on theatres charging a maximum of twenty-five cents?

WHO IS LEADING THE WAY for the elimination of the 16mm. feature picture opposition?

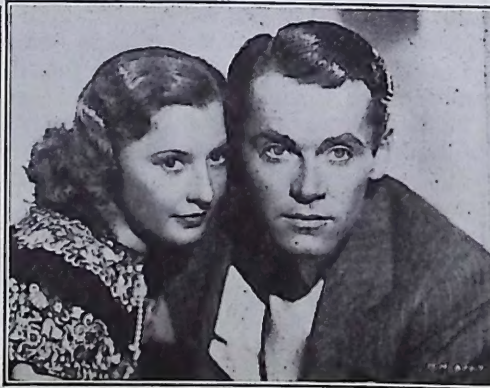
WHO IS THE ONE AND ONLY FILM INDEPENDENT IN CANADA who has never exploited its Independence, nor its championship of Independent Exhibitors to make any profit for itself? Your answer is **THE DIGEST!**

WE ASK FOR NO SUBSIDY.

WE ASK FOR NO PATRONAGE.

WE DO ASK YOU to contribute as a paid subscriber to The Digest, that we may know you have the common sense to sense **SERVICE.**

Subscription, \$2.00 a year.



Scenes from the RKO Radio production, "The Mad Miss Manton", starring Barbara Stanwyck and Henry Fonda.

Quebec Papers
Predict
Childrens'
Admission To
Moving Picture
Theatres



"Boys Town"
Impresses
Church and State
Accelerating
Action on Quebec
Film Act

By MERRYL LEA

THE Quebec Government, according to announcements made by Government representatives at Montreal, will move to amend the present law which prohibits the attendance at motion picture theatres of children under sixteen years of age, at the next parliamentary session.

The second announcement of this nature was made by Mon. Cyrille F. Delage, Superintendent of Education, at Quebec, where educational authorities and members of Church and State gathered at the Chateau Frontenac Hotel, and where the motion picture, M-G-M's "Boys Town" was shown to illustrate the point that many films have a good influence on children.

Editorial comment on the proposed amendment predicts coming action on a law, which has caused the motion picture industry in the Province of Quebec considerable loss of revenue since 1927, when the Laurier Theatre fire occurred, resulting in such loss of life as to cause the legislative enactment prohibiting children from attending the theatre. Here are some excerpts from Montreal and Quebec City newspapers:

From the Montreal Gazette: "The provincial Government is quite evidently inclined to modify the existing law barring children from moving picture theatres if it can be assured of public support. To that end it is seeking the opinion of representative citizens, both clerical and lay, particularly those whose vocations and experience have qualified them to form and express dependable judgment in a matter of this kind. The result ought to be an almost unanimous decision in favor of relaxation. Children under 16 years are being denied access to these theatres, to their own loss, to that of their parents, and of course to that of the theatres themselves. This is not a proposition, but a fact, unless it can be shown that the censorship in this province is inadequate and that undesirable pictures are being shown. It will be hard to prove this, and in view of two things, first the acknowledged

strictness of the censorship, and second, the policy which producers have pursued in recent years, which is that of giving the public clean and wholesome entertainment. Furthermore, it is universally conceded now that the moving picture theatre is an educational agency of the highest value. Why exclude children from its benefits?

"The whole situation as it now exists is paradoxical. The law closes all moving picture theatres to children under 16 years of age and has done so for ten years, not because of the fare that is offered on the screen or the fear that it may impress injuriously the immature minds of young people, but because one theatre was burned with attendant loss of life. The Laurier Theatre disaster was appalling, and at the time, very naturally, measures against any possible recurrence were not only advocated, but urged. The present law was the result. It did not then and does not now affect the fire hazard itself, but merely applies to that hazard a human age limit. It is scarcely surprising in these circumstances that the original main reason for the existing statute does not enter at all into the discussion now in progress as to whether the law should or should not be amended. Those discussions turn upon the quality or suitability of pictures shown and they should result in some reasonable amendment, for the reasons already given. In addition to the fact that screen pictures as shown in this province are of a uniformly high standard there is the further consideration that in many instances they are peculiarly suited to the younger generation and calculated to strengthen their minds. One such picture, 'Boys Town', which was screened privately here and in Quebec, in the presence of leading educationalists, clergy and representatives of the State, is so unique in its appeal as to put the case for revision past argument. A true story has been dramatized, the story of a priest's belief in the inherent goodness of boys

and of the building of a city for homeless boys with that belief as its foundation. It is a fine story and admirably acted. WE BELIEVE THAT NO BOY COULD SEE IT WITHOUT DEFINITE SPIRITUAL BENEFIT. BUT THE LAW SAYS THIS MUST NOT BE."

The Quebec Chronicle, Quebec City: "Those in favour of an amendment claim with some show of logic at least that it is inconsistent to say, on the one hand, that it is the right of the parents to decide whether their children shall go to school or not, and on the other, that it is not their right to decide whether a child shall see a desirable moving picture or not. In other words, they believe that parents should be permitted to take their children themselves to theatres to see certain pictures, if they wish it. And in order that there shall be no abuse, the stipulation is made that this permission shall be given only in the case of pictures that have been approved by the Council of Education.

"This would be a very happy solution of the problem that could do little harm to anyone and that should satisfy everyone. It will still be illegal for children to attend the theatre unless they are accompanied by their parents and then only to see pictures approved by the Council of Education. And even so, parents who do not wish their children under sixteen years of age to attend the theatre, under any circumstances, will have their wishes respected since their children will not be admitted unless accompanied by themselves.

"Properly directed, the moving picture can be a powerful and invaluable agency of education and if, at the same time, it can be made attractive in a wholesome way, that is so much the better. And there would seem to be no reason why our children should be deprived of its benefits as long as proper safeguards against abuse are maintained."

Shooting the Stars

"MADAME POMPADOUR", one of the most famous of musical comedy successes, has just been bought by M-G-M for screen adaptation; it is expected that MILIZA KARJUS, lovely Viennese star of "THE GREAT WALTZ", will portray the title role in "Madame Pompadour" . . . with the signing of JAMES ELLISON to play the romantic lead, HAL ROACH announced that casting was completed on "IT'S SPRING AGAIN", the OLIVER HARDY-HARRY LANGDON feature comedy to be directed by GORDON DOUGLAS; other principals in the cast include ALICE BRADY, BILLIE BURKE, JEAN PARKER and JUNE LANG; release will be through UNITED ARTISTS . . . MILES MANDER and PAULINE MOORE have joined the cast or "THE THREE MUSKETEERS", 20TH CENTURY-FOX picture starring the RITZ BROTHERS and DON AMECHE . . . "LITTLE MOTHER", an original story by BUDDY DE SYLVA, has been selected by RKO RADIO for GINGER ROGERS' next solo starring vehicle; De Sylva will produce his own story . . . GLORIA HOLDEN, who portrayed Madame Zola in "The Life of Emile Zola", has been signed by WARNER BROS. for a principal role with ERROL FLYNN and OLIVIA DE

HAVILLAND in "DODGE CITY" . . . JAMES CRAIG, recently placed under extended term contract by COLUMBIA, and BETTY FURNESS have been selected to play the leads in "LIFE IS CHEAP", now



Richard Dix, currently starred in RKO Radio's "Sky Giant".

in production under the direction of D. ROSS LEDERMAN . . . production is well advanced on METRO-GOLDWYN-MAYER'S "ICE FOLLIES", starring JOAN CRAWFORD with JAMES STEWART and LEW AYRES . . . DONALD WOODS was signed this week by RKO RADIO to play the lead opposite LUCILLE BALL in "BEAUTY FOR THE ASKING"; B. P. FINEMAN will produce and GLENN TRYON direct . . . ROLAND YOUNG has been added to the cast of WARNER BROS.' "YES, MY DARLING DAUGHTER", co-starring PRISCILLA LANE and JEFFREY LYNN, with FAY Bainter . . . "MR. MOTO IN PORTO RICO" has been selected as the title for the next screen adventure of PETER LORRE, who plays the title role in the detective series, produced by 20TH CENTURY-FOX . . . COLUMBIA has engaged REGIS TOOMEY and WALTER KINGSFORD for feature roles in the FAY WRAY-RALPH BELLAMY picture, "INTERNATIONAL SPY" (tent. title), which CHRISTY CABANNE is bringing to the screen; WARREN HULL has also been signed for an important role in the production.

Trans - Canada Showings

TORONTO

AVENUE

"Mr. Wong, Detective" (Monogram) starring Boris Karloff, and "Goldwyn Follies" (Goldwyn - U.A.), starring Adolphe Menjou, Andrea Leeds, Edgar Bergen and Charlie McCarthy.

IMPERIAL

"I Am The Law" (Columbia), starring Edward G. Robinson, and "Straight, Place and Show" (20th Century-Fox), starring the Ritz Brothers.

LOEW'S

"Stablemates" (M-G-M), starring Wallace Beery and Mickey Rooney, and "Rich Man, Poor Girl" (M-G-M), with Robert Young.

SHEA'S

2nd week. "Dracula" (Universal), starring Bela Lugosi, and "Frankenstein" (Universal), starring Boris Karloff.

UPTOWN

4th week. "You Can't Take It With You" (Columbia), starring Jean Arthur, James Stewart, Lionel Barrymore and Edward Arnold.

MONTREAL

CAPITOL

"Room Service" (RKO Radio), starring the Marx Brothers, and "The Missing Guest" (Universal), with Paul Kelly.

LOEW'S

"Vacation from Love" (M-G-M), with Dennis O'Keefe and Florence Rice. Also stage show.

ORPHEUM

"Youth Takes A Fling" (Universal), starring Joel McCrea and Andrea Leeds, and "The Lady in the Morgue" (Universal), with Preston Foster.

PALACE

2nd week. "You Can't Take It With You" (Columbia), starring Jean Arthur, James Stewart, Lionel Barrymore and Edward Arnold.

PRINCESS

"Four's A Crowd" (Warners), starring Errol Flynn, Rosalind Russell, Olivia de Havilland and Patric Knowles, and "Torchy Blane in Panama" (Warners), with Lola Lane and Paul Kelly.

SAINT JOHN

CAPITOL

"Sky Giant" (RKO Radio), starring Richard Dix and Chester Morris. Also stage show.

EMPIRE

"Mad About Music" (Universal), starring Deanna Durbin with Herbert Marshall, and "Talk of the Devil" (G-B), starring Ricardo Cortez.

MAYFAIR

"Alexander's Ragtime Band" (20th Century-Fox), starring Tyrone Power, Alice Faye and Don Ameche, and "Meet the Girls" (20th Century-Fox), with June Lang.

REGENT

"Vivacious Lady" (RKO Radio), starring Ginger Rogers and James Stewart, and "Smashing the Rackets" (RKO Radio), starring Chester Morris.

WINNIPEG

BEACON

"Joy of Living" (RKO Radio), starring Irene Dunne and Douglas Fairbanks, Jr., and "Criminals of the Air" (Columbia), with Rosalind Keith and Charles Quigley. Also stage show.

CAPITOL

"That Certain Age" (Universal), starring Deanna Durbin, with Melvyn Douglas and Jackie Cooper.

GAIETY

"Love Finds Andy Hardy" (M-G-M), starring Lewis Stone, Mickey Rooney and Judy Garland, and "Rich Man, Poor Girl" (M-G-M), with Robert Young.

GARRICK

2nd week. "Algiers" (Wanger-U.A.), starring Charles Boyer, with Hedy Lamarr.

LYCEUM

"Affairs of Annabel" (RKO Radio), starring Lucille Ball and Jack Oakie, and "Saint in New York" (RKO Radio), starring Louis Hayward.

CALGARY

CAPITOL

"You Can't Take It With You" (Columbia), starring Jean Arthur, James Stewart, Lionel Barrymore and Edward Arnold.

ISIS

"Touchdown Army" (Paramount), with John Howard, and "Mad About Music" (Universal), starring Deanna Durbin with Herbert Marshall.

PALACE

"I Am The Law" (Columbia), starring Edward G. Robinson.

STRAND

"Kentucky Moonshine" (20th Century-Fox), starring the Ritz Brothers, and "Rascals" (20th Century-Fox), starring Jane Withers.

VARIETY

"International Settlement" (20th Century-Fox), starring Dolores Del Rio and George Sanders, and "Charlie Chan at Monte Carlo" (20th Century-Fox), starring Warner Oland.

VANCOUVER

CAPITOL

"Drums" (London Films), starring Sabu and Raymond Massey.

DOMINION

"My Lucky Star" (20th Century-Fox), starring Sonja Henie and Richard Greene.

ORPHEUM

"Stablemates" (M-G-M), starring Wallace Beery and Mickey Rooney.

PLAZA

"There Goes My Heart" (Hal Roach-U.A.), starring Fredric March and Virginia Bruce.

STRAND

"Straight, Place and Show" (20th Century-Fox), starring the Ritz Brothers, and "Time Out For Murder" (20th Century-Fox), with Gloria Stuart and Michael Whalen.